

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Cheng *et al.*
SERIAL NUMBER: 10/802,186 GROUP NUMBER: 2811
FILING DATE: March 17, 2004 EXAMINER: Shouxiang Hu
TITLE: PROCESS FOR PRODUCING SEMICONDUCTOR ARTICLE
USING GRADED EPITAXIAL GROWTH

Terminal Disclaimer

I, DANIEL COHEN, state that I am a representative authorized to sign on behalf of Massachusetts Institute of Technology, identified below as the assignee of the entire right, title and interest in and to the above-identified patent application, U.S. Serial No. 10/802,186. I have reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and certify that, to the best of my knowledge and belief, title to the above-identified application is in the name of Massachusetts Institute of Technology.

Massachusetts Institute of Technology of 77 Massachusetts Avenue, Cambridge, MA 02139 is the assignee of the entire right, title and interest in and to the above-identified application, 10/802,186, by virtue of the Assignment signed by the inventors, and recorded in the United States Patent and Trademark Office at Reel No. 015393 and Frame No. 0178, on June 1, 2004.

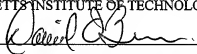
Massachusetts Institute of Technology hereby waives and disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the full statutory term (which may be longer than seventeen (17) years) of U.S. Patent No. 6,573,126, issued June 3, 2003, and hereby agrees that any patent so granted on U.S. Serial No. 10/802,186 shall be enforceable only for and during such period that the patent is commonly owned with U.S. Patent No. 6,573,126, or any patent issuing therefrom. This agreement runs with any patent granted on U.S. Serial No. 10/802,186 and is binding upon the Assignee, its successors or assigns.

Massachusetts Institute of Technology does not disclaim any terminal part of the term of patent granted on the above-identified application U.S. Serial No. 10/802,186 prior to the expiration date of the full statutory term of U.S. Patent No. 6,573,126, in the event that said patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a re-examination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, if any, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made in the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

By



Name

DANIEL O'BRIEN

Title

INTELLECTUAL PROPERTY MANAGER
TECHNOLOGY LICENSING OFFICE

Date

JUNE 19, 2007